



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,958	04/07/2000	Janette Bradley	A00006	2119

26643 7590 03/27/2003

PETER J. GORDON, PATENT COUNSEL  
AVID TECHNOLOGY, INC.  
ONE PARK WEST  
TEWKSBURY, MA 01876

EXAMINER

CHANG, JUNGWON

ART UNIT	PAPER NUMBER
----------	--------------

2154

DATE MAILED: 03/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

84

**Office Action Summary**

Application No.

09/543,958

Applicant(s)

BRADLEY ET AL.

Examiner

Jungwon Chang

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-22 are presented for examination.
2. The numbering of claims is not in accordance with 37 CFR 1.126. The numbering of the claims must be consecutively beginning with the number next following the highest numbered claims previously presented, and the dependent claims cannot depend on the claim that has not been presented (i.e. since claim 13 is missing, claims 14-23 are renumbered as 13-22).  
Correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crow et al. (US 6,262,724 B1) in view of Shore et al. (6,353,461 B1).

Art Unit: 2154

5. As to claim 1, Crow et al. disclose the invention substantially as claimed, including a review and approval system for media content (col. 1, lines 12-20), said system comprising:

a player (200, fig. 3A) for playing said media content (col. 8, lines 30-39); and

a storage manager for storing (350, fig. 14; col. 26, lines 21-34).

6. Crow et al. do not specifically disclose a comment receiver for receiving comments pertaining to one or more of the frames of the media content; and storing the comments in correspondence with the frames of digital data. However, Shore et al. disclose comment designator (130, figs. 4-10) for entering comments related to an overall scene (col. 7, lines 52-65) and storing the comments in correspondence with the digital data (col. 7, lines 61-65; col. 20, lines 37-38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Crow et al and Shore et al. because Shore et al's comment designator would improve the integrity of Crow et al system by allowing the reviewers/editors to store their suggestions, information or comments related to the each scene by simply clicking the "comment" button to take notes, thereby reducing editing times (Shore et al, col. 2, lines 20-24; col. 5, lines 58-67).

7. As to claims 2 and 3, Crow et al. disclose the media content is video data ordered by time code (col. 1, lines 24-30), and Quicktime video data (col. 1, lines 31-34).

8. As to claims 4-7, Crow et al. further disclose a first computer system (102, 104, fig. 1) and second computer system (128, fig. 1) are coupled by a communications network (122, fig. 1). However, Crow et al. do not specifically disclose providing the comments. However, Shore et al. disclose comment designator (130, figs. 4-10) for entering comments related to an overall scene (col. 7, lines 52-65) and storing the comments in correspondence with the digital data (col. 7, lines 61-65; col. 20, lines 37-38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Crow et al and Shore et al. because Shore et al's comment designator would improve the integrity of Crow et al system by allowing the reviewers/editors to store their suggestions, information or comments related to the each scene by simply clicking the "comment" button to take notes, thereby reducing editing times (Shore et al, col. 2, lines 20-24; col. 5, lines 58-67).

9. As to claim 8, it is rejected for the same reasons set forth in claim 1. In addition, Crow et al. disclose a file generator for producing a data file (col. 1, lines 24-34; col. 13, lines 15-33; col. 27, lines 38-46).

10. As to claims 9-12, Crow et al. further disclose data file has a data structure (col. 1, lines 24-34) and a frame rate for playing the media content (col. 3, lines 33-43).

Art Unit: 2154

11. As to claim 13, Crow et al. disclose the media content is audio data (col. 5, lines 20-25).

12. As to claim 14, Crow et al. disclose the media content is video data ordered by time code (col. 1, lines 24-30), and Quicktime video data (col. 1, lines 31-34).

13. As to claims 15-18, Crow et al. further disclose a first computer system (102, 104, fig. 1) and second computer system (128, fig. 1) are coupled by a communications network (122, fig. 1). However, Crow et al. do not specifically disclose providing the comments. However, Shore et al. disclose comment designator (130, figs. 4-10) for entering comments related to an overall scene (col. 7, lines 52-65) and storing the comments in correspondence with the digital data (col. 7, lines 61-65; col. 20, lines 37-38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Crow et al and Shore et al. because Shore et al's comment designator would improve the integrity of Crow et al system by allowing the reviewers/editors to store their suggestions, information or comments related to the each scene by simply clicking the "comment" button to take notes, thereby reducing editing times (Shore et al, col. 2, lines 20-24; col. 5, lines 58-67).

14. As to claims 19 and 20, they are rejected for the same reasons set forth in claim 1. In addition, Crow et al. disclose a computer program product (col. 26, lines 21-22), comprising:

a computer readable medium (350, fig. 14; col. 26, lines 21-34); and  
computer readable instructions stored on the computer readable medium,  
wherein the instructions, when executed by a computer to instruct the computer to  
perform a process for reviewing a media content by a user with respect to the media  
content to a editing system (col. 26, lines 35-58) comprising;

a frame rate for playing said media content to said editing system (col. 3, lines  
33-43).

15. As to claims 21 and 22, Crow et al. further disclose communicating frames of  
digital data (col. 27, lines 6-9).

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to  
applicant's disclosure:

George et al, patent 5,978,648, Ubillos, patent 5,999,173, Valdez, Jr, patent 6,426,778  
B1, Garmon et al, patent 6,489,969 B1, Ferguson, patent 5,995,951, Crane et al, patent  
6,201,924 B1, Gustman, patent 6,212,527 B1, Vigneaux et al, patent 5,852,435, Eyal,  
patent 6,484,199 B2, Rhoads, patent 6,411,725 B1 disclose method and apparatus for  
video editing with video clip representations displayed along a time line.

17. Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Jungwon Chang whose telephone number is (703)305-  
9669. The examiner can normally be reached on 8:30-6:00 (Monday-Friday).

Application/Control Number: 09/543,958  
Art Unit: 2154

Page 7

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)308-9052. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-7239 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

Jungwon Chang  
March 19, 2003

  
MENG-AL T. AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100